

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND**

STEPHANIE & WILLIAM FARRELL

v.

MACY'S, ET AL.

\*

\*

\*

\*

\*

\*

\*\*\*\*\*

Civil No. – JFM-13-3591

**MEMORANDUM**

I have reviewed the memoranda submitted in connection with defendants' motions for summary judgment. I have also viewed exhibits 1 and 2, the videos attached to defendant Macy's motion. Defendants' motions will be granted.

On the evidence before me I would have acquitted Mr. Farrell of the charge of shoplifting. That, however, is not the issue I am being asked to decide in this case. Rather, the question presented is whether defendants had probable cause to believe that Mr. Farrell had been engaged in shoplifting. The facts that he spent a substantial portion of time placing various items in the bag he was carrying and subsequently passed by the counter where the items should have been paid for persuade me that probable cause for his arrest existed.

I likewise find that any physical contact that occurred after Mr. Farrell's arrest could not satisfy the court's \$75,000 jurisdictional limit. Although any insult to the Farrells, particularly Mrs. Farrell, is virtually incalculable, if a jury were to return a verdict of \$75,000 or more I assuredly would reduce the verdict to an amount less than \$75,000. Therefore, the Farrells' claims relating to the alleged contact are dismissed. The Farrells may reinstitute those claims in state court if they desire to do so, within twenty days. *See* Maryland Rule 2-101(c).

A separate order granting judgment on behalf of defendants is being entered herewith.

Date: June 9, 2015

/s/  
J. Frederick Motz  
United States District Judge